

**Work Session/Regular Meeting Minutes**  
**Borough Annex**  
**305 Beechwood Place**  
**February 6, 2006**

*A Regular Meeting of the Mayor and Council of the Borough of Leonia, Bergen County, New Jersey, was held this evening in the Borough Hall Annex, commencing at 7:30pm*

**Council Present:** Mayor Laurence Cherchi, Councilperson Hawkins, Heveran, Mitrani, Raucci, Ryan and Puzzo

**Council Absent:** none

**Also Present:** Fran Lehmann, Borough Clerk, Brian Giblin, Borough Attorney, Victoria Miragliotta, Borough Administrator

Mayor Laurence Cherchi called the meeting to order.

Mayor Laurence Cherchi asked everyone to stand while Councilman President Puzzo led in the Pledge of Allegiance.

**OPEN MEETING STATEMENT**

Conditions of the Open Meeting Act have been met by Notice placed on the Bulletin Board at Borough Hall and notices sent to the Official Newspaper.

Mayor Cherchi asked for a moment of silence for Donald Chace who was a member of the Leonia Fire Department for almost 40 years.

Mayor Cherchi pointed out the Fire Exit.

**MINUTES**

Reorganization Meeting, January 4, 2006; A motion was made by Councilman Ryan, seconded by Councilman Raucci to approve the minutes of January 4, 2006 as amended. Roll call vote; Councilpersons, Hawkins, Heveran, Mitrani, Raucci, Ryan, and Puzzo voted yes. Minutes were approved.

Minutes of January 9, 2006; Council President Puzzo made a motion to approve the minutes of January 9, 2006 as amended, seconded by Councilman Raucci. Roll call vote; Councilpersons Hawkins, Heveran, Mitrani, Raucci and Puzzo voted yes. Councilman Ryan voted no. Minutes were approved.

**PRESENTATION**

Mr. Lou Luglio, 160 Hillcrest Avenue, Engineer from Vollmer Associates; Mr. Luglio made a presentation to the Governing Body and the assembled public regarding the placement of speed humps/bumps on Lakeview Avenue. After much discussion the Governing Body asked Mr. Luglio to explore the possibility of a left turn lane onto Sheffield Avenue in Englewood. Mr. Luglio will meet with Englewood, the Department of Transportation and Bergen County. Council President Puzzo stated he will work with Mr. Luglio to try and resolve the issues.

## **PUBLIC COMMENTS**

Mr. Michael Ponella, 220 Overlook; Mr. Ponella did not feel that speed humps or bumps would help on Lakeview to deter the traffic. His concern was pushing the traffic to Overlook.

Mr. Gary Albanese, 125 Lakeview Avenue; Mr. Albanese in prior meetings brought the issue concerning people speeding from I95 the drivers are still in the 55-60 mph mind set. The same is true in the evening turning up Lakeview going towards I95. Regarding the noise and environmental issues there is already considerable noise from 95 and Mr. Albanese does not feel that there would be any more noise from the speed humps or bumps.

Councilman Puzzo asked for a show of hands of how many residents would be in favor of putting speed humps on Lakeview? Only one resident raised their hand.

Mayor Cherchi asked the Governing Body what their recommendation was.

Councilwoman Mitrani suggested giving the members of the Governing Body more time to think about the options presented by Mr. Luglio. Mayor Cherchi agreed to put this on the agenda for the next meeting.

Mr. Michael Ponella, 220 Overlook Avenue – Mr. Ponella expressed concern about delaying a decision. Mr. Ponella asked the Governing Body to make this a priority to meet with Englewood to correct the problem at Sheffield.

Mike PolICASTRO 177 Lakeview Avenue – Mr. PolICASTRO inquired why the Governing Body thought Englewood would take the traffic from Leonia? Councilman Puzzo stated one of the suggestions made early on was by Mayor Cherchi to try and route the traffic coming off Route 80. The Borough could do some striping along Broad Avenue with County and DOT involved so that there isn't a great back-up on that off ramp. That may start to eliminate some of the traffic going through Leonia. Mr. Luglio agreed with Councilman Puzzo. Councilman Puzzo would rather do something like that before anything else.

January 9<sup>th</sup> Closed Session Minutes - These minutes were held until Closed Session.

Minutes of January 18, 2006 – Councilman Ryan page 5, line 191 there should be a clarification of our purpose and it would be defensible if we had an ordinance on what a flag lot is. Page 6, line 230 Social Services board met because Councilman Ryan was not aware of the meeting he did not attend. Doug Chung cannot be at the meetings which are Tuesdays at 5pm, and there are other membership issues. Councilman Ryan page 1 line 44 needs should be “needs to be checked,” line 45, this could be a remedy not a band aid solution. Councilman Hawkins page 6, line 236 handed out a brochure. Mayor Cherchi page 6, line 258, Mr. Raucci abstained. There was a check for him listed on the claims list.

Motion to approve the minutes as amended was made by Councilman Ryan, seconded by Councilman Hawkins. Roll call vote; Councilpersons Heveran, Hawkins, Mitrani, Raucci and Ryan voted yes. Councilman Puzzo abstained. Minutes approved.

January 18, 2006 Closed Session – These minutes were held until Closed Session.

### **COMMENTS FROM THE PUBLIC**

Margaret Ranker, 537 Grand Avenue - Brought to the attention of the Governing Body the issue of trash along Christie Heights Street. Mayor Cherchi asked for a clarification of what kind of trash. Ms. Ranker responded, paper, plastic bottles, general debris, it is on the street, gutters, peoples lawns. The area is not what it should be. The Borough Administrator will look into it. Councilman Raucci inquired if the proximity of the schools contributed to the problem. Councilman Raucci inquired if there are any receptacles in the area. Ms. Ranker stated no. Council President Puzzo noted there was one by the bus stop.

### **RESOLUTIONS**

Councilman Ryan asked about Resolution 06-55 if the reconfiguration on the first floor took in consideration of the number of steps taken in an emergency to get out of the front door? Councilman Ryan noted that with the addition of the window in that area there isn't a door and the person in that office would have to leave through the finance office. Mayor Cherchi stated the architect is responsible to design things according to code and asked the Borough Administrator to check with him. Councilman Hawkins noted that Mr. Haenelt could also review the plans. The plans also need to be reviewed by Mr. Haenelt before they are approved. Councilwoman Heveran asked if there was a contingency for what is going to happen to the employees while the renovations are occurring? The Borough Administrator stated this is basically to write the specifications so we can go out to bid so we can be under contract before the grant expires.

Councilwoman Heveran asked about Resolution 06-54, page 12, concerning the transfer of funds to current.

Mayor Cherchi questioned page 2 Sylvan Park payment for \$72,000, did the engineer submit the request for payment. Council President Puzzo noted it was in the packet recently.

139  
140 Mayor Cherchi asked for a motion to approve Resolution 06-53, 06-55 through 06-61;  
141 Council President Puzzo made a motion to approve the above noted Resolutions,  
142 seconded by Councilwoman Mitrani. Roll call vote; Councilpersons Hawkins, Heveran,  
143 Mitrani, Raucci, Ryan and Puzzo voted yes Resolutions approved.  
144

#### 145 **INTRODUCTION OF BOND ORDINANCE**

146

147 Introduction of Bond Ordinance 01-06 entitled:

148  
149 **BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS**  
150 **PUBLIC IMPROVEMENTS AND THE ACQUISITION OF A NEW**  
151 **AUTOMOTIVE VEHICLE, INCLUDING ORIGINAL APPARATUS AND**  
152 **EQUIPMENT, NEW ADDITIONAL OR REPLACEMENT EQUIPMENT**  
153 **AND MACHINERY, AND NEW COMMUNICATION AND SIGNAL**  
154 **SYSTEMS EQUIPMENT IN, BY AND FOR THE BOROUGH OF**  
155 **LEONIA, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO**  
156 **APPROPRIATE THE SUM OF \$698,532 TO PAY THE COST THEREOF,**  
157 **TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF**  
158 **BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE**  
159 **FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN**  
160 **ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.**  
161

162 Councilman Ryan motion made a motion, seconded by Councilman Puzzo to  
163 introduce and adopt on first reading Ordinance 01-06.  
164

165 Council President Puzzo inquired about the salt shed. Councilman Puzzo would  
166 like to investigate feasibility of a shared service with another community for the  
167 salt shed. After a discussion by the Governing Body the Borough Administrator  
168 was asked to check with neighboring municipalities regarding shared services.  
169

170 Council President Puzzo questioned on page four letters, "H" Shade Tree;  
171 Councilman Puzzo stated he has had discussions with the Shade Tree  
172 Commission who are asking for \$18,000. Council President Puzzo would like to  
173 increase the amount to \$30,000. Some of this money could be used for other  
174 Shade Tree activities, not just planting. Councilman Ryan agreed with concept of  
175 increasing the money but they need to be planted with tree gators for at least three  
176 years. Councilman Ryan stated there has been a discussion with the DPW about  
177 filling the tree gators and it is not going to be problem.  
178

179 Mayor Cherchi asked for a motion to amend section "H" from \$18,000 to  
180 \$30,000.  
181

182 Borough Attorney explained the changes that would need to be made to the  
183 Ordinance.  
184

185 Councilwoman Mitrani would like the Shade Tree Commission to be cognizant of  
186 the plantings of the trees. Council President Puzzo stated this has been discussed  
187 with the Commission.

188  
189 Council President Puzzo made a motion to amend Ordinance 01-06, Section “H”,  
190 seconded by Councilman Puzzo. Roll call vote; Councilpersons Hawkins,  
191 Heveran, Mitrani, Raucci, Ryan and Puzzo voted yes on the amendment to  
192 Ordinance 01-06.

193  
194 Roll call vote on Ordinance 01-06 as amended; Councilpersons, Hawkins,  
195 Heveran, Mitrani, Raucci, Ryan and Puzzo voted yes. Ordinance 01-06 introduced  
196 as amended.

197  
198 The Borough Administrator explained the question Councilwoman Heveran had on the  
199 bill list earlier in the meeting. It is noted as a donation to the Borough, but it is money  
200 collected in the Recreation Trust which goes back to the Borough to offset the cost of the  
201 lighting at the fields.

202  
203 Councilwoman Heveran made a motion to pay Resolution 06-54 seconded by  
204 Councilwoman Mitrani. Roll call vote; Councilpersons Hawkins, Heveran, Mitrani,  
205 Raucci, Ryan and Puzzo voted yes. Resolution 06-54 approved.

206  
207 Council President Puzzo made a motion to extend the meeting to discuss unfinished  
208 business including the Welfare Board up to one hour, seconded by Councilwoman  
209 Mitrani. All in favor none opposed.

210  
211 **UNFINISHED BUSINESS**

212  
213 a. Rules of Order; this item was held over from the Reorganization Meeting held on  
214 January 4, 2006. Councilwoman Heveran explained why this was placed on the  
215 agenda. Mayor Cherchi suggested a change to the Rules of Order that the Police is  
216 a Commission not a Committee. Mayor Cherchi put the necessary documentation  
217 on the desks of the Governing Body. Councilwoman Heveran asked if all the  
218 Amended dates could be removed. Mr. Giblin explained the corrections; he could  
219 make to reflect the dates The Rules of Order were amended on each page and  
220 remove the dates throughout. Councilwoman Heveran made a motion to adopt the  
221 Rules of Order as presented February 6, 2006, seconded by Councilman Puzzo.  
222 Roll call vote; Councilpersons Hawkins, Heveran, Mitrani, Raucci, Puzzo voted  
223 yes. Councilman Ryan voted no. Rules of Order adopted.

224  
225 b. Tax Abatement – Councilwoman Mitrani asked the Borough Administrator to  
226 explain the tax abatement. The Borough Administrator explained that the abated  
227 amount is being spread out and born by the rest of the residents. This is money  
228 that is abated for homeowners who are doing renovations on their homes.  
229 Councilwoman Mitrani would like the Governing Body to consider doing and  
230 ordinance to do away with the abatement. Councilman Puzzo asked if the existing

residents who have the abatement would be “grandfathered.” The Borough Administrator stated yes. Councilman Puzzo inquired if the Council had the option of reducing the time from five years to two years? The Borough Administrator said she would research the possibilities and report back to the Council. The Borough Administrator stated it can be eliminated entirely by Ordinance.

- c. Donations Mayor Cherchi stated he provided the documentation regarding the letter from Leonia Fire Department requesting donations. Mayor Cherchi stated that if the checks are made out the Leonia Volunteer Fire Department, the checks should be turned over to the Borough and the money would then go into general funds. Mayor Cherchi asked the Fire Committee to look at the problem. Councilman Hawkins explained that the Fire Department hired a company to do the fund raising this year. This was an oversight made by the committee in reviewing the paperwork.

- d. Local Assistance Board – Councilman Ryan reported that a member has moved out of town. Mr. Chung has rearranged his schedule so he can attend the meetings. There is also an issue with the health of another member, and Councilman Ryan will discuss that with the individual tomorrow. Councilman Ryan would like to appoint Ellie Spiegel to the position that is vacant. Councilman Ryan would like to tell her of the appointment so she can attend the next meeting.

Councilman Ryan made a motion to appoint Ellie Spiegel to the Human Services Board seconded by Council President Puzzo. Roll call vote; Councilperson Hawkins, Heveran, Mitrani, Raucci, Ryan and Puzzo voted yes. Motion carried.

Council President Puzzo made a motion to approve Resolution 06-63 Appointing Danisha Johnson as substitute crossing guard, seconded by Councilwoman Heveran. Roll call vote; Councilpersons Hawkins, Heveran, Mitrani, Raucci, Ryan and Puzzo voted yes. Resolution 06-63 approved

### **NEW BUSINESS**

All new business was carried over to the agenda of February 15, 2006.

### **COMMENTS FROM THE PUBLIC**

No one spoke.

Mayor Cherchi asked for a motion from a member of the Governing Body, who voted against the Resolution authorizing payment for the legal bills of Mr. Chewcaskie.

Councilman Hawkins made a motion to discuss the legal bills of Mr. Chewcaskie, seconded by Councilwoman Heveran. All in favor none opposed.

277  
278 **CLOSED SESSION (RESOLUTION C)**  
279

280 A motion was made to go into closed session by Councilman Ryan, seconded by  
281 Councilman Puzzo. All in favor; none opposed.  
282

283 A motion was made to come out of closed session by Councilman Puzzo, seconded by  
284 Councilman Raucci. All in favor; none opposed  
285

286 Councilman Hawkins made a motion to approve the January 9, 2006, Closed Session  
287 Minutes as amended, seconded by Council President Puzzo. Roll call vote;  
288 Councilpersons Hawkins, Heveran, Mitrani, Raucci, Ryan, Puzzo, voted yes. Minutes  
289 approved.  
290

291 Councilman Hawkins made a motion to approve the January 18, 2006 Closed Session  
292 Minutes as amended, seconded by Councilman Raucci. Roll call vote; Councilpersons,  
293 Hawkins, Heveran, Mitrani, Raucci, Ryan voted yes. Councilman Puzzo abstained.  
294 Minutes approved as amended.  
295

296 Councilman Raucci made a motion to approve Resolution 06-62, seconded by  
297 Councilman Ryan. Discussion Councilwoman Heveran understands how Councilmen  
298 Raucci and Hawkins feel but Councilwoman Heveran stated that she still had strong  
299 feelings for the Borough not to be responsible for paying this bill. Councilwoman  
300 Heveran stated she has maintained all along that it was not something she was happy  
301 about paying and she cannot vote for the payment of this large bill. Councilman  
302 Hawkins; \$23,064.23 could be better spent Roll call vote; Councilpersons Hawkins,  
303 Mitrani, Raucci, Ryan and Councilman Puzzo voted yes, stated that he is just disgusted  
304 that the Borough has to pay this bill with \$23,000 of taxpayers money. He would like to  
305 get the Governing Body past this and pay the bill because it is the right thing to do  
306 although he is disgusted with having to make the payment. Councilwoman Heveran voted  
307 no. Resolution 06-62 approved.  
308

309 Councilwoman Heveran made a motion to adjourn, seconded by Councilman Raucci. All  
310 in favor none opposed.  
311

312 As there was no further business before the Governing Body, the meeting was adjourned  
313 at 11:20pm  
314

315 Respectfully submitted,  
316  
317

318 Fran Lehmann  
319 Borough Clerk